

Exhibit-F 7021 2720 0003 2562 5561

TORT CLAIM

CCA/ Cimarron Correctional Facility (U.S.M.S.)
Cushing, Oklahoma

Orin Kristich
Plaintiff

v

Claim/ Case No.

	Tort Claim
	The Ending Qualified Immunity Act
	The Stripping Doctrine
Warden Dickerson, (C.C.A./ C.C.F.)	
Dr. Grain, (C.C.A/ C.C.F.)	
Nurse Casady (C.C.A./ C.C.F.)	
Nurse Foster (C.C.A./ C.C.F.)	
U.S.M.S. (District of Oklahoma)	
Defendants	

This action, and relief is being sought under the Tort Claim Act; the Ending Qualified Immunity Act; and the Stripping Doctrine:

Mr. Kristich has exhausted all "available" administrative remedies that were available to him under Section 1997e(a) and the PLRA.

When Mr. Kristich was sent to U.S.P.T.; he left an address for the above Defendants to respond to the administrative remedies that were available to him. Moreover, Mr. Kristich sent a letter to the above Facility's Warden on Jan 25, 2022, telling him that Mr. Kristich was a U.S.P.T. waiting for the Defendants to respond to his injury claim, filed through the administrative remedy process. The above stated Defendants were acting outside of their Official role; while acting under color of law.

(1) The above named Defendants deprived Mr. Kristich of his right to seek medical treatment, after being made aware of and being told about his medical emergency.

[This right is found in the Defendant's Handbook] This is Mr. Kristich's

right under the Eighth Amendment of the United States Constitution.

[D/O Overton and D/O Jauregi were witnesses]

(2) The above named Defendants deprived Mr. Kristich of his right to access medical care. [This right is found in the Defendant's Handbook].

This is Mr. Kristich's right under the Eighth Amendment of the United States Constitution. [After being told about his Medical Emergency].

(3) Mr. Kristich was locked in a cell in Unit F.C. for over 24 hours after his injury. [For about 15 hours there were no Officers making well-fair checks; they did not even serve food on Dec 25, 2021.] By the time an Officer was told about the injury it was 12 AM or so on Dec 26, 2021. Because of the lack of well-fair checks on Dec 25, 2021.

(4) Mr. Kristen is respectfully requesting relief in the form of monetary damages in this Claim for the following reasons;

a) Deprivation of rights; when the Defendants were acting under color of law. (\$50,000 per Defendant).

b) Lack of Medical Treatment; leading to life long pain and suffering; and lack of medical care after a medical emergency (injury), 30 hours of extreme pain and suffering with no response from the Medical Staff, nerve and muscle damage due to lack of Medical Treatment and lack of Medical Care. (\$1,000,000 per Defendant).

c) Abuse and neglect of a prisoner; by not responding to a Medical Emergency (after being told multiple times by Officer Overton), leading to extreme pain and suffering for about 30 hours (on Dec 25, 2021 4AM Christmas Day, and lasting till about 3PM on Dec 26, 2021, when Mr. Kristich's injury was finally treated at the Hospital). Moreover, this was the second hospital Mr. Kristich was taken to. (\$100,000 per Defendant).

d) Medical Malpractice leading to long term nerve damage and muscle damage (an injury because of lack of treatment to Mr. Kristich's dislocated shoulder). Life long injury due to the above Defendants actions while acting outside their Official role, while acting under color of law. (\$100,000 per Defendant) (life long pain and suffering.)

e) For a total of \$6,250,000 U.S. Dollars. This is not a binding Tort Claim but an effort to resolve matters amicably between the parties.

f) Mr. Kristich is not waiving any rights to bring any other actions under 42 USC 1981- 85.

g) Mr. Kristich, in addition, is using this action to exhaust all available administrative remedies.

The Defendants have 30 days from the postmark on this action to respond.

Respectfully submitted.

Dated: 6-7-2022

Signed: 
Orin Kristich